

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

BRENT S. GALLETTA

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CRIMINAL ACTION NO. 14-603  
CIVIL ACTION NO. 17-5243

**ORDER**

**AND NOW**, this 17th day of July, 2023, after considering the amended motion under 28 U.S.C. § 2255 to vacate, set aside, or correct a sentence filed by the movant, Brent S. Galletta (“Galletta”) (Doc. No. 112); and the court having also considered (1) Galletta’s original *pro se* section 2255 motion (Doc. No. 96), (2) Galletta’s supplement to the original section 2255 motion (Doc. No. 109), (3) the government’s omnibus response to Galletta’s original section 2255 motion and other motions that this court already resolved (Doc. No. 111), (4) the evidence presented during the evidentiary hearing on September 18, 2018 (Doc. No. 146), (5) Galletta’s post-evidentiary hearing supplemental brief in support of his amended section 2255 motion (Doc. No. 140), (6) the government’s post-evidentiary hearing response to Galletta’s amended section 2255 motion (Doc. No. 147), (7) the arguments from Galletta and counsel for the government during the November 6, 2019 oral argument, and (8) all pretrial and trial proceedings and filings; and the court having further considered Galletta’s (1) motion for transcripts (Doc. No. 158), (2) motion to compel release of case file (Doc. No. 159), (3) motion to take judicial notice and supplement section 2255 habeas petition (Doc. No. 160), and (4) motion to take judicial notice (Doc. No. 163); and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. Galletta’s amended motion under 28 U.S.C. § 2255 to vacate, set aside, or correct a sentence (Doc. No. 112) is **DENIED**;

2. The court **DECLINES** to issue of a certificate of appealability;
3. The clerk of court is **DIRECTED** to **REMOVE** the companion civil case, Civil Action No. 17-5243 from civil suspense and **RETURN** it to the undersigned's active docket;
4. The clerk of court shall **CLOSE** Civil Action No. 17-5243;
5. Galletta's motion for transcripts (Doc. No. 158) is **GRANTED**. The clerk of court is **DIRECTED** to (a) **TRANSCRIBE** the notes from the November 6, 2019 oral argument and **PROVIDE** Galletta with a free copy of the transcript and (b) **PROVIDE** Galletta with a free copy of the transcript of the September 18, 2018 evidentiary hearing (Doc. No. 146);
6. Galletta's motion to compel release of case file (Doc. No. 159) is **DENIED WITHOUT PREJUDICE**;
7. Galletta's motion to take judicial notice and supplement section 2255 habeas petition (Doc. No. 160) is **DENIED**;
8. The clerk of court is **DIRECTED** to **TERMINATE** the motion designation at Doc. No. 161, which was a duplicate entry; and
9. Galletta's motion to take judicial notice (Doc. No. 163) is **DENIED**.

BY THE COURT:

/s/ Edward G. Smith  
EDWARD G. SMITH, J.